



**Metropolitan King County Council
Growth Management and Natural Resources Committee**

Staff Report

Agenda Item No.	4	Staff	Megan Smith
Ordinance No.	2006-0305	Date	July 11, 2006
Attending	Mark Isaacson, Director, Water and Land Resources Division (WLRD)		

Steve Bleifuhs, Managing Supervisor, River and Floodplain Management Unit, WLRD

Grover Cleveland, Government Affairs Officer,
Department of Natural Resources and Parks
(DNRP)

SUBJECT

AN ORDINANCE relating to protecting lives and property by controlling flooding in King County; declaring the intention of the King County council to create a countywide flood control zone district and to dissolve existing flood control zone districts within the county as required by state law.

SUMMARY

Chapter 86.15 RCW authorizes counties to create Flood Control Zone Districts (FCZDs) for the purpose of undertaking, operating or maintaining flood control projects or storm water control projects. FCZDs have the authority to levy property taxes of up to fifty cents per \$1,000 of assessed value. Proposed Ordinance 2006-0305 would declare the County's intention to create a Countywide FCZD and to dissolve existing FCZDs (please see Attachment 1A for a list of existing FCZDs). This ordinance would also set a public hearing date of July 31, 2006 on the declaration of intent to form the new district and to dissolve the old districts. ***The effect of proposed Ordinance 2006-0305 is limited to declaring intent as a first step in creating a FCZD, and to setting a public hearing date.*** Actual creation of a Countywide FCZD and assessment of levy would require separate ordinances and action by the Council.

BACKGROUND

The 2006 King County Flood Hazard Management Plan (Flood Plan) identifies \$335 million in project and program needs with \$179 million identified as priority projects (for more information, please see staff report for Proposed Ordinance 2006-0293, which would adopt the Flood Plan). The transmittal letter for the notice of intent ordinance states that the Executive is not proposing a specific funding level at this time, but notes that collection of adequate revenue to fund the priority projects over a ten-year period would cost the owner of a \$300,000 home approximately \$15 per year.

Flood hazard management programs and projects along major river systems in King County are currently funded by three local revenue sources: the River Improvement Fund Levy (a property tax collected countywide), the Green River FCZD levy (a property tax collected within the boundaries of the Green River FZCD), and the Intercounty River Improvement Fund levy (a property tax collected on properties within the Intercounty River Improvement District along the White River). These three sources together generated \$3.5 million in 2005. The Flood Plan projects that an annual revenue

stream of \$17.9 to \$33.5 million would be needed to fund identified projects over a ten-year time frame.

Chapter 7 of the Flood Plan reviews a number of funding options, and recommends a Countywide FCZD as the most appropriate funding mechanism to support regional flood hazard management projects. FCZDs can levy an assessment of up to fifty cents per \$1,000 of assessed value, subject to levy limits (FCZDs are relatively low on the levy hierarchy). Under RCW 86.15, FCZD levy revenues are primarily intended to support flood and stormwater projects, though RCW 86.15.035 provides that a portion of the revenue may also be used to support cooperative watershed projects.

Since the 1960s, a number of flood control zone districts have been created in the county with the goal of meeting discrete flood control needs in specific geographic areas. Only two of these districts are currently active: the Green River FCZD, and the Patterson Creek FCZD. A FCZD assessment is only levied in the Green River FCZD.

RCW 86.15.025 provides authority to create Countywide FCZDs, with or without sub-zones. RCW 86.15.023 provides that the council may not establish a FCZD that includes areas located in another FCZD unless such area is removed from the other district, or the other district is dissolved, as part of the action creating the new flood control zone district. The Executive is recommending dissolution of the existing districts and creation of a Countywide FCZD without sub-zones.

ORDINANCE PROVISIONS

Proposed Ordinance 2006-0305 is intended to meet the requirements RCW 86.15.030 which calls for a resolution to initiate creation of the proposed district, and a description of the proposed boundaries of the district and the flood control needs of the district. A public hearing can be held no later than thirty days after the adoption of this ordinance, and the ordinance sets a hearing date of July 31, 2006. Consistent with RCW 86.15.023, the ordinance also declares the intention of the county to dissolve the existing FCZDs within the county. Finally, the ordinance directs the Clerk to provide notice of the proposed boundaries to the Boundary Review Board (BRB).

The transmittal letter outlines the following steps and schedule that would be needed to support the creation of a FCZD and collection of revenue by 2008:

1. Intent Ordinance adopted (summer 2006).
2. BRB notified and BRB review period begins (following adoption of intent ordinance).
3. Hearings on formation of countywide district and required dissolution of existing districts (beginning within 30 days of adoption of intent ordinance).
4. Formation ordinance transmitted and adopted (any time through early 2007).
5. Levy rate set (fall of 2007).
6. Levy effective (January 1, 2008).
7. Flood control improvements authorized (2008).

Executive staff have been asked to provide additional detail during this meeting on the sequencing and timing of steps to form a Countywide FCZD, and the time sensitivity of Proposed Ordinance 2006-0305.

ATTACHMENTS

1. Proposed Ordinance 2006-0305 with Attachments
 - A. Existing Flood Control Zone Districts
 - B. King County Flood Control Zone District Boundaries (Countywide)
2. Transmittal Letter for Proposed Ordinance 2006-0305
3. Fiscal Note for Proposed Ordinance 2006-0305